

### **REMARKS**

Claims 1-6 are pending in the above-identified application, and were rejected. With this Amendment, claim 5 was amended, claims 13 and 14 were added and claim 6 was cancelled. Accordingly, claims 1-5 and 13-14 are at issue.

#### **I. Objection To Specification**

The Examiner objected to the abstract of the disclosure as appearing to be too long. In response, Applicants have amended the abstract. Accordingly, Applicants respectfully request withdrawal of this objection.

The Examiner objected to the title of the invention as not descriptive. In response, Applicants have amended the title. Accordingly, Applicants respectfully request withdrawal of this objection.

In response to the objection to the disclosure, Applicants have amended the Brief Description of the Drawings and the remainder of the specification to correct minor typographical errors. Accordingly, Applicants respectfully request withdrawal of this objection.

#### **II. 35 U.S.C. § 112 Indefiniteness Rejection of Claims**

Claims 5-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection.

Applicants have amended claim 5, and replaced claim 6 with claims 13 and 14, which Applicants respectfully submit obviate this rejection. Accordingly, Applicants respectfully request withdrawal of this rejection.

### **III. Rejection of Claims**

Claims 1, 3, and 5-6 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lin et al. (U.S. Patent No. 6,262,869). Claims 2 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin et al. Applicants respectfully traverse these rejections.

Claim 1 is directed to a magnetic head using magnetoresistive effect comprising a magnetic sensing portion formed of a magnetoresistive effect element. The magnetic sensing portion includes a lamination layer structure portion in which at least a free layer made of a soft magnetic material of which the magnetization is rotated in response to an external magnetic field, a fixed layer made of a ferromagnetic material, an antiferromagnetic layer for fixing the magnetization of the fixed layer and a spacer layer interposed between the free layer and the fixed layer are laminated with each other. The lamination layer structure portion further includes a magnetic flux introducing layer of which the tip end is opposed to a surface which is brought in contact with or opposed to a magnetic recording medium. The lamination layer structure portion has at its lamination layer direction opposing side surfaces formed of one flat surface or continuous one curved surface over at least the free layer, the spacer layer and the fixed layer. A hard magnetic layer having high resistance or low resistance for maintaining a magnetic stability of the free layer is disposed in direct contact with the opposing surfaces or through an insulating layer. A sense current for the lamination layer structure portion flows through the lamination layer direction of the lamination layer structure portion. An external magnetic field is applied to the direction extended along the plane direction of the lamination layer structure portion and which is extended substantially along the opposing side surfaces.

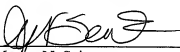
Lin et al. is directed to a spin valve sensor with an encapsulated keeper layer. Lin et al. does not disclose or suggest a sense current for the lamination layer structure portion that flows through the lamination layer direction of the lamination layer structure portion, where the lamination layer structure portion has at its lamination layer direction opposing side surfaces formed of one flat surface or continuous one curved surface over at least the free layer, the spacer layer and the fixed layer, as required by claim 1. Rather, in Lin et al., the sense current  $I_s$  flows perpendicular to this direction, *i.e.*, from left to right in Fig. 11. (See col. 7, lines 18-19 and 43-45). Accordingly, claim 1 is allowable over Lin et al. For reasons similar to those discussed with regard to claim 1, Applicants respectfully submit that claims 2-5, 13 and 14 are also allowable over Lin et al. Accordingly, Applicants respectfully request withdrawal of these rejections.

#### **IV. Conclusion**

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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